

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

TITUS HENDERSON,

Case No. 17-cv-1406-pp

Plaintiff,

v.

CO II DAVID LEVEY, *et al.*,

Defendants.

**ORDER GRANTING PLAINTIFF'S UNOPPOSED LETTER MOTION TO
REMAND THIS CASE TO STATE COURT**


The plaintiff, Titus Henderson, is a Wisconsin state prisoner representing himself. He filed this case in Wisconsin state court, alleging violations of Wisconsin state law. Dkt. No. 1-2. On October 13, 2017, the defendants removed the case to federal court, stating that this court had federal question removal jurisdiction because the case arose under the Constitution and laws of the United States. Dkt. No. 1-1 at 3. On October 25, 2017, the plaintiff filed an objection to removal (which this court construes as a motion to remand). Dkt. No. 5. The plaintiff asserted that his complaint was based solely on violations of Wisconsin state law, and not on any federal law. *Id.* at 1.

The court issued an order, requiring that by the end of the day on December 22, 2017, the defendants must notify the court whether they objected to remand. Dkt. No. 7. On December 22, 2017, the defendants timely filed their response, indicating that they did not object to the court remanding the case back to state court. Dkt. No. 8.

Based on the defendants' lack of objection, the court **GRANTS** the plaintiff's letter motion for remand. Dkt. No. 5. The court **ORDERS** that the clerk's office shall **REMAND** this case to the Circuit Court for Kenosha County Wisconsin (Titus Henderson v. Warden Brian Foster, et al., 2017CV000918), effective immediately. The clerk's office shall **CLOSE** this federal case upon remand.

Dated in Milwaukee, Wisconsin this 2nd day of January, 2018.

BY THE COURT:



HON. PAMELA PEPPER
United States District Judge